substantiated or dismissed; whether, indeed, it was a charge as ordinarily understood by Western Europeans, at all.

To Western Europeans a misdemeanour implies laws which may be observed or not observed, whose alleged contravention may be juridically investigated; in the U.S.S.R., and later in Germany, the principle was established that to oppose the existing regime in word or deed, or even in thought, in itself constitutes a misdemeanour; and the same authority responsible for detecting such a misdemeanour was also responsible for charging the culprit, trying and sentencing him, and executing the punishment. As Krylenko, until his disgrace Commissar for Justice, put it: 'In the specific nature of their functions there is no difference between the Soviet Court of Justice and the Ogpu... . Every Judge must keep himself well informed on questions of State policy, and remember that his judicial decisions in particular cases are intended to promote the prevailing policy of the ruling class and nothing else.'[13] The universality of this principle is attested by its subsequent application to Krylenko himself, and even to the Ogpu, whose head, Jagoda, was later arrested and executed. It may be described as a materialist interpretation of the Christian doctrine of Original Sin. All are miserable offenders who have erred and strayed from the Party line like lost sheep, and therefore deserve to be shot; but they may still hope to escape, if they are properly obedient and contrite, by virtue of their Government's infinite mercy.

Such a principle destroys the very basis of Law, though it provides the terrorist with an instrument perfectly suited to his

purposes; the whole population is delivered into his hands when anyone is liable at any moment to be plausibly charged with a criminal offence.[14] More effectively than by any mere display of

[13] See *Court and Justice in the U.S.S.R.* by N. V. Krylenko. Quoted in an article by *The Times* Riga Correspondent, published April 12, 1933.

[14] An early practitioner of this technique was Calvin. The regime he established in Geneva bears a marked resemblance to the contemporary Totalitarian State, with secret police and ideological trials—for instance of Servetus, who was induced before he went to the stake to ask Calvin's for-